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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,883	11/26/2001	Glenn Bingham	08360.1556-01	4179

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EXAMINER

SMITH, TRACI L

ART UNIT PAPER NUMBER

3629

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/991,883

Applicant(s)

BINGHAM ET AL.

Examiner

Traci L. Smith

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to papers filed on January 20, 2006
2. In view of the appeal brief filed on January 20, 2006, PROSECUTION IS
HEREBY REOPENED. A new grounds of rejection set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 21-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Business Travel News, p. 1, Sept. 6, 1993 entitled 'Megs at a Cross roads'.

Hereinafter referred to as Megs in further view of www.eventsource.com; retrieved from wayback machine anylinkage January 31, 1998, hereinafter referred to as eventsource.

6. As to claims 21-26 Business Traveler teaches a PC product that optimizes site selection by looking at:

7. attendees point of origin—land arrangements(travel)—meal costs—ranking sites by cost(Pg. 2 para 11). Megs fails to teach the cost including travel and lodging.

However, eventsource teaches booking and comprehensive reporting on hotels, airlines, car in one centralized location. (pg 18 para D). It would have been obvious to one of ordinary skill in the art at the time of invention to combine Eventsource with Megs. Event planners working on a budget constraint need to be able to identify the an overall cost for attending an event before making decisions on locations to book an event. When organizing an event it is necessary to consider all travel expenses an attendee would incur while traveling to and attending the actual event.

8. As to claims 27-30 Megas teaches a system for event planning including meal costs(Pg 2 ¶8). However, Megas fails to explicitly teach meeting space cost.

Eventsource teaches receiving bids based from input information consisting of meeting place requirements and users receiving bids(estimated costs based on user input) to make informed decisions when selecting an event location. (Pg. 9 3rd chart Pg 16 para E) It would have been obvious to one skilled in the art at the time of invention to combine the teaches of Eventsource with Megas so as to have an idea of what different meeting spaces will cost and availability. Every meeting space has different costs based on numbers attending as well as prices vary based on types of food and beverage ordered.

9. As to claims 31-32 Megas teaches a for event planning and lodging reservations(Pg. 2 ¶ 6). However, Megas fails to teach choosing amenities preferred. Eventsource teaches an event planning system allowing the user to select "important Amenities and services". (Pg. 9 1st chart). It would have been obvious to one skilled in the art to combine the teachings of Eventsource with Megas so as to present the user with facilities that are capable of meeting their particular needs for the event.

10. As to claims 33-37 Megas teachings an event planning system based on location, land arrangements and meals. However, Megas fails to teach "optimized" costs. Eventsource teaches an event planning system that allows the user to input alternative dates to receive bids on dates that might be less expensive optimizing based on schedule and lowest price. (Pg. 8 Chart 2 Pg. 16 para D & E). It would have been

obvious to one skilled in the art to combine the teachings of Eventsource with Megas so as to allow the user the option to hold their event in a more cost effective time.

Response to Arguments

11. Applicant's arguments with respect to claims 21-26 have been considered but are moot in view of the new ground(s) of rejection.

12. Applicant's arguments with respect to claims 27-38 have been fully considered but they are not persuasive.

13. Applicant argues eventsource fails to teach including a meeting space in an all-inclusive cost. Examiner notes eventsource teaches the user reviewing bids regarding the selection of a location, wherein the buying decisions are being made when planning destinations. Applicants arguments that event source does not teach does not teach calculating a price for the RFP's entered by the event planner, that reference is merely alleging a cost will be disclosed. Examiner notes it is implied that when request a proposal/bid on any type of activity that will cost a business money that as common practice a estimated cost is given to the requester in order to make a fully educated decision on what location will best suit their needs including their budge.

14. Examiner notes with the new rejection stated above that Megas and eventsource in combination teach the limitations as claimed. Megas teaches the determining a location based on points of origins for attended and eventsource teaches the detailed information necessary such as budgets, cost constraints lodging costs, meal costs all needed to plan an event regardless of where the event attendees are located.

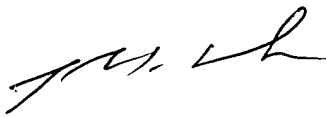
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Traci L. Smith whose telephone number is 571-272-6809. The examiner can normally be reached on Monday-Thursday 6:00 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TLS


JOHN G. WEISS
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